

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

WP(C).No. 20751 of 2007(U)

PETITIONER:

P.DAMODARAN, PALOLI HOUSE,
GURUKRIPA, PUDUPANAM P.O.,
VADAKARA.

BY ADV. SRI.I.DINESH MENON

RESPONDENTS:

1. THE STATE TRANSPORT APPELLATE TRIBUNAL,
ERNAKULAM.
2. THE REGIONAL TRANSPORT AUTHORITY,
VADAKARA REP. BY ITS SECRETARY.
3. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
VADAKARA.
4. THE MANAGING DIRECTOR,
KERALA STATE ROAD TRANSPORT CORPORATION,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. M.R. SABU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 22/08/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

W.P.(C)NO.20751/07

EXT.P1: TRUE COPY OF THE PROCEEDINGS OF RTA VADAKARA, DATED 15.7.2006.

EXT.P2: TRUE COPY OF THE MEMORANDUM OF APPEAL IN MVAA 429/2006.

EXT.P3: TRUE COPY OF THE COUNTER AFFIDAVIT FILED BY THE KSRTC DATED NIL.

EXT.P4: TRUE COPY OF THE JUDGMENT IN MVAA NO.429/2006 DATED 30.9.2006.

TRUE COPY

PA TO JUDGE.

S. SIRI JAGAN, J.

W.P.(C)NO. 20751 OF 2007

DATED THIS THE 22nd DAY OF AUGUST, 2007

JUDGMENT

The petitioner's application for regular permit has been rejected on the ground of overlapping of a notified route. The petitioner's appeal before the STAT was rejected by Ext.P4 upholding the order of the R.T.A. The petitioner now submits that if the petitioner files an application for permits on a modified route avoiding the offending distance, it may be directed to be considered.

I have heard the learned Government pleader also. This writ petition is disposed of with the observation that if the petitioner submits an application for a modified route avoiding the overlapping area, the R.T.A. shall consider the same in accordance with law. The K.R.T.C. shall also be heard in the matter before orders are passed by the R.T.A. on such application.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

Acd

